

## ZASTROW EXHIBIT 14

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UNITED STATES DISTRICT COURT

DISTRICT OF MINNESOTA

- - - - -  
LEMOND CYCLING, INC.,

Plaintiff,

v.

Case No. 08-1010

TREK BICYCLE CORPORATION,

Defendant/Third-Party Plaintiff

v.

GREG LEMON, D,

Third-Party Defendant,

Defendant.  
- - - - -

Deposition of AARON MOCK

May 12, 2009

9:30 a.m.

at

Gass Weber & Mullins, LLC

309 North Water Street

Milwaukee, Wisconsin

Reported by David J. Sikora, RPR, RMR, CRR

1 A Okay.

2 Q Do you see that?

3 A Yes.

4 Q There's a Trek and LeMond platform.

5 A Yes.

6 Q Is this consistent with what you're talking about in  
7 terms of there being a Trek road bike, and a  
8 parallel LeMond road bike for dealers to carry?

9 A Yeah. When I look at this, and I look at the  
10 platforms laid out next to each other, it's simply  
11 showing each level of frame platform, and it's kind  
12 of showing its counterpart based on price ranges, is  
13 really what it's looking at there. And it's -- to  
14 me, it's simply showing the dealer that, hey, you  
15 have, on the Trek side you have a Madone, on the  
16 LeMond side you have this ti carbon Tete de Course.  
17 You know, you have this really nice other piece to  
18 sell that customer coming in the door. You have  
19 this option or that option. And the nice thing  
20 about this is it shows, you know, for basically each  
21 Trek platform, there's a complementary LeMond.

22 Q And how -- I asked you before, but now we've got  
23 actually a nice parallel set in front of us.

24 A Sure.

25 Q How is one to distinguish, as a consumer, between

1           **these two lines?**

2       A     Yeah. As a consumer, you know, sitting in this  
3           room, we understand that Trek and LeMond are under  
4           one umbrella. As a consumer walking in to a  
5           dealership, and looking at the product line up on  
6           the floor, when you look at a LeMond, and when you  
7           look at a Trek, especially in this context, they're  
8           significantly different visually. If you had no  
9           idea, if there weren't details at least on the high  
10          end stuff, you would still know that they were  
11          different platforms. You wouldn't have guessed that  
12          they came from one company, because they were very  
13          unique. Spine technology is very unique. As you  
14          get down further, it gets a little more generic as  
15          you get down to aluminum platforms. But then,  
16          again, when you look at the products sitting next to  
17          each other on the floor, whether it's  
18          specifications, in other words, the parts that are  
19          on there, the handlebars, the drive train, or paint  
20          and graphics, you know, all of those things play a  
21          role in differentiating a product for the consumer  
22          and for the dealer.

23       Q     **If you turn a few more pages to Trek 004319.**

24       A     Okay. Got it.

25       Q     **And it looks like these are some talking points for**

1 people when you're trying to sell a Madone. Am I  
2 saying that right? Madone?

3 A Yeah.

4 Q Things to say every time you sell a Madone, do you  
5 see that?

6 A I do.

7 Q I'm interested in number one, the first bullet  
8 point, the Madone was designed for -- with and for  
9 Lance Armstrong, do you see that?

10 A I do.

11 Q Is that one of the selling points, to your  
12 knowledge, for Trek for the Madone bike?

13 A You know, the marketing guys could answer that for  
14 you. But I'm sure that they used that, yeah.

15 Q If you can skip down to the last bullet point, I'm  
16 interested in that. There is no better road bike  
17 available from anyone. Do you see that?

18 A Yeah.

19 Q Is that a statement that you agree with, as a  
20 product manager?

21 A No.

22 Q Why do you disagree with that?

23 A I think that we had extremely competitive product in  
24 the LeMond line. And if you were to evaluate it  
25 against LeMond literature, you would see similar

1 statements going the other way. You know, we  
2 were -- you're fighting for the brand. You know.  
3 Simply because this is a Trek piece, I would never  
4 expect the Trek guys not to say that they have the  
5 best bike in the world. Just like I would expect  
6 them never to ask me to not say that I thought that  
7 I had the best LeMond piece out there.

8 Q Why don't you flip to what -- the description of the  
9 LeMond spine at Trek 004324.

10 A Okay.

11 Q Trek U book is more than I can handle. And this  
12 page relates to the LeMond spine line. Do you see  
13 that?

14 A I do.

15 Q And it says, things to remember when selling a  
16 LeMond spine bike.

17 A Yeah.

18 Q See that?

19 A Yeah.

20 Q Do you see any claims here comparable to the claims  
21 Trek makes for the Madone, about there being no  
22 better road bike available from anybody? Is there a  
23 comparable statement in support of the LeMond spine  
24 bike?

25 A Not on this page.

1 Q Okay. If you want to flip through it, and if you  
2 can see it on any other page, I would love to know  
3 where it is. And you can take all the time you  
4 want.

5 A That's okay. I think that if you looked through the  
6 catalogs, we presented the catalogs, that we could  
7 find equally significant representations of the  
8 LeMond line.

9 Q But this is the booklet that's used with dealers,  
10 correct?

11 A In 2005-2006. Yeah. And a new one's done every  
12 year.

13 Q Jump to the Fisher road bike.

14 A Okay.

15 Q My memory of your testimony is that the Fisher road  
16 bike was developed in approximately five months.

17 A Yes.

18 Q Did you sleep?

19 A Yeah, I got a little sleep.

20 Q We've requested, but we haven't received any of the  
21 development docs yet. And nobody's withholding  
22 them. They're just not due to us yet.

23 A Okay.

24 Q So I'm working from a very basic level. I don't  
25 know very much of anything.